



**Department of the Treasury
Internal Revenue Service**

Date:

Tax year:

Contact telephone number:

Why You Are Receiving This Letter

You submitted 2011 client returns claiming Earned Income Tax Credit (EITC) without attaching the Form 8867, *Paid Preparer's Earned Income Credit Checklist*.

Treasury Regulation §1.6695-2 was amended in late 2011. Paid return preparers must now complete and submit the Form 8867, *Paid Preparer's Earned Income Credit Checklist*, with every client return claiming EITC. Starting with tax year 2011, every EITC client return a preparer files electronically or by mail must have Form 8867 attached. In the case of a paper return presented to the client, the Form 8867 must be attached.

Consequences of Filing Tax Year 2012 EITC Returns Without Forms 8867

If you do not submit the Form 8867 with tax year 2012 EITC client returns, your EITC due diligence requirements will not be met. You will be subject to a \$500 penalty under Internal Revenue Code section 6695(g) for each EITC return submitted without Form 8867. There is no maximum to the number of penalties that may be imposed.

Your failure to comply with these requirements may result in additional IRS actions, including revocation of your Authorized IRS *e-file* Provider status and your Registered Tax Return Preparer designation.

Required Action

Immediately begin attaching Form 8867 to the EITC returns that you prepare.

What to Do If You Need Help

Enclosed is a copy of Publication 4687, *EITC Due Diligence Brochure*, which provides guidance on EITC due diligence. Visit our EITC Preparer Toolkit at www.eitc.irs.gov/rptoolkit/main/ to learn more about your EITC due diligence requirements.

Sincerely,

Enclosure:
Publication 4687